

Application No. 09/679,564

Atty. Dkt. No. 072827-10024-2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Van Wagenen et al.

Title: CALCIUM RECEPTOR-ACTIVE
MOLECULES

Appl. No.: 09/579,564

Filing Date: 05/26/2000

Examiner: D. Jones

Art Unit: 1614

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Application No. 09/679,564

Atty. Dkt. No. 072827-1002

Respectfully submitted,

Date March 3, 2003

By Richard San Pietro

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Substitute for form 1449B/PTO
**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number 09/579,564
 Filing Date 05/26/2000
 First Named Inventor Van Wegenen et al.
 Group Art Unit 1614
 Examiner Name D. Jones
 Attorney Docket Number 072827-1002

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,000,197		Barfknecht et al.	12-28-1976	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2		WO 94 18959 A		Brigham and Women's Hospital and NPS Pharmaceuticals, Inc.	09-01-1994		
	A3		WO 93 04373 A		NPS Pharmaceuticals Inc.	03-04-1993		
	A4		EP 0 508 307 A2		Sumitomo Chemical Company, Limited	10-14-1992		
	A5		DE 25 41 184 A		Chinoin Gyogyszer es Vegyeszeti	04-15-1976		
	A6		DE 12 31 690 B		Sandoz	01-05-1967		
	A7		WO 95 11221 A		NPS Pharmaceuticals, Inc.	04-27-1995		
	A8		WO 95 21815 A		Abbott Laboratories, USA	08-17-1995		
	A9		WO 95 18134 A		Oxford Asymmetry Ltd	07-06-1995		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A10	Chemical Abstracts, Vol. 121, No. 19, November 7, 1994, Abstract No. 230462, Komeyoshi et al., "Optically active amines and their manufacture, intermediates, and uses."	
	A11	Clifton et al., "Arylethanolamines derived from salicylamide with α - and β -adrenoceptor blocking activities. Preparation of labetalol, its enantiomers, and related salicylamides." Journal of Medicinal Chemistry, 25 (6): 670-679, 1982.	
	A12	Wang et al., "Ruthenium-catalysed transfer hydrogenation of imines by propan-2-ol." Journal of Chemical Society, Chemical Communications, p. 980-982, March 1992.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/579,564
		Filing Date	05/26/2000
		First Named Inventor	Van Wegenen et al.
		Group Art Unit	1614
		Examiner Name	D. Jones
(use as many sheets as necessary)		Attorney Docket Number	072827-1002
Sheet	2	of	2

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
.	A13	Davies and Ichihara, "Asymmetric synthesis of R- β -amino butanoic acid and S- β -tyrosine: Homochiral lithium amide equivalents for michael additions to $\alpha\beta$ -unsaturated esters." Tetrahedron:Asymmetry, 2(3): 183-186, 1991.	
.	A14	Majewski and MacKinnon, "Enantioselective deprotonation of protected 4-hydroxycyclohexanones." Can. J. Chem., 72(7): 1699-1704, 1994.	
.	A15	Van Niel and Pandit, "NADH models XXI. Stereoselective reduction of chiral imines with hantzsch ester." Tetrahedron, 41(24): 6005-6011, 1985.	
?	A16	Hashimoto et al., "Highly diastereoselective addition of organometallic reagents to chiral imines derived from 1-(2-methoxyphenyl)ethylamine." Synlett, p. 961-2, September 1995..	

Examiner Signature		Date Considered	
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